

EXHIBIT 3

Confidential - Per 2004 MDL 1358 Order

Page 1

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE:

Methyl Tertiary Butyl:MDL NO. 1358 (SAS)
Ether ("MTBE") :
Products Liability :
Litigation :

In Re:

City of New York

CONFIDENTIAL (Per 2004 MDL 1358 Order)

April 17, 2008

Videotaped Deposition of
JAMES J. ROBERTS, held in the law
offices of McDermott, Will & Emery, 340
Madison Avenue, New York, New York,
beginning at approximately 10:15 a.m.,
before Ann V. Kaufmann, a Registered
Professional Reporter, Certified
Realtime Reporter, Approved Reporter of
the U.S. District Court, and a Notary
Public.

GOLKOW TECHNOLOGIES, INC.
877.370.3377 ph|917.591.5672 fax
deps@golkow.com

1 there is planning. I do not know how
2 specific or what the specific
3 question --

4 Q. Well, with respect to
5 Station 6, do you currently have a
6 operating plan which specifies how
7 frequently that well will be pumping
8 water to the system?

9 A. The intent of Station 6 is
10 to deliver its rated capacity, which, I
11 believe, is on the order of 10 to 12
12 mgd. The delivery of that water to our
13 system would be in part through the
14 trunk main that has either been totally
15 constructed or is in the process of
16 being constructed that gives us the
17 ability to take that water and
18 distribute it more broadly throughout
19 the southeast Queens area.

20 Q. And with regard to the
21 delivery of 10 to 12 million gallons per
22 day of water from Station 6, is there
23 actually a plan in place today to
24 determine which wells will pump during